

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO.583 OF 2007

IN

APPEAL (L) NO.1055 OF 2006

AND

APPEAL (L) NO.1055 OF 2006

IN

SUIT NO.2912 OF 2006

...

Blaise Ignatius Pereira ...Appellant

v/s.

Shri Bastow Gustin Patel & Ors. ...Respondents

...

Mr.D.R.Tiwari for the Appellant.

Mr.V.A.Sawant for Respondent No.8.

...

CORAM: D.K.DESHMUKH &

J.H.BHATIA, JJ.

DATED: 25TH JULY, 2007

P.C.:

1. Assuming that there is sufficient cause shown for condonation of delay in filing the Appeal, we heard the learned counsel appearing for the Appellant on merits.

2. Appeal is against the order made by the learned single Judge declining to grant ad-interim order in favour of the Appellant. The Appellant has filed a suit for partition, but there is no document produced by him to show that his predecessor-in-interest had any share in the property. The learned single Judge, therefore, has not granted ad-interim order. In any case, the motion is pending, where the case of the Appellant may be considered again. We see no reason to interfere with the order impugned. Motion and Appeal are, therefore, disposed of.

(D.K.DESHMUKH, J.)

(J.H.BHATIA, J.)